S T A T E O F N E W Y O R K

S. 7620--A A. 9706--A

S E N A T E - A S S E M B L Y

May 16, 2014

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to the alienation and substitution of certain parklands in the town of Southampton in the county of Suffolk

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subject to the provisions of this act, the town of Southampton, in the county of Suffolk, acting by and through its town board, is hereby authorized to discontinue as parklands and alienate, the lands described in section three of this act for the purpose of county road traffic safety improvements.

S 2. The authorization contained in section one of this act shall take effect only upon the condition that the town of Southampton shall acquire and dedicate the lands of equal or greater fair market value that have never been used for park purposes described in section four of this act as additional parklands of the town.

S 3. The lands authorized by section one of this act to be discontinued as parklands are as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the town of Southampton, county of Suffolk and state of New York being part of Parcel No. 1, described as follows:

Beginning at a point at the northeasterly side of Center Drive (Nugent Drive) County Road No. 94 at the westerly end of a curve connecting the northeasterly side of Center Drive (Nugent Drive) County Road No. 94 with the westerly side of Peconic Avenue:

Thence along the northerly side of Center Drive (Nugent Drive) County Road No. 94, North 54°06'00" West, 172.95 feet to a point;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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Thence along the lands now or formerly Suffolk County South 73°51'50" East, 30.55 feet to a point;
Thence through the lands now or formerly Town of Southampton South 60°33'16" East, 135.91 feet to a point;
Thence northeasterly and easterly along a curve bearing to the left having a radius of 65.00 feet a distance of 112.73 feet to a point;
Thence North 20°04'34" East, 84.17 feet to a point;
Thence North 35°50'56" East, 23.07 feet to a point;
Thence South 85°19'00" East, 11.52 feet to a point on the northwesterly side of Peconic Avenue;
Thence South 22°09'00" West along the northwesterly side of Peconic Avenue 138.08 feet to the northerly end of a curve connecting the northeasterly side of Center Drive (Nugent Drive) County Road 94 to the northwesterly side of Peconic Avenue;
Thence southwesterly and westerly along said curve bearing to the right having a radius of 67.72 feet a distance of 122.63 feet to the point of beginning, being 7,510± square feet.

S 4. Prior to the discontinuance and alienation of the parkland described in section three of this act, the town of Southampton, acting through its town board, shall acquire and dedicate replacement lands for use as parkland for public park purposes, as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the county of Suffolk, state of New York being part of Parcel No. 2, described as follows:

Beginning at a point at the northeasterly corner of Parcel 2, said point being the following two courses and distances from a point on the westerly side of Peconic Avenue at the northerly end of a curve having a radius of 67.72' and a distance of 122.63' connecting the westerly side of Peconic Avenue with the northerly side of Center Drive (C.R. 94):

(1) North 22° 09' 00" West, 138.08 feet to a point and the division line between lands now or formerly Town of Southampton on the north and lands now or formerly Town of Southampton to the south;
(2) South 85° 19' 00" East, 212.29 feet to the point of Beginning:

Thence along the division line of property of the People of the County of Suffolk and the Town of Southampton the following six courses and distances:

(1) North 85° 19' 00" West, 63.29 feet to a point;
(2) South 35° 54' 00" West, 7.98 feet to a point;
(3) South 03° 02' 40" West, 88.10 feet to a point;
(4) North 73° 51' 50" West, 46.17 feet to a point, thence through the lands now or formerly Suffolk County;
(5) North 53° 44' 39" West, 99.18 feet to a point;
(6) North 36° 15' 21" East, 119.19 feet to the waterline of Griffings Pond;

Thence running along the waterline of Griffings Pond the following seven tie line courses and distances:

(1) South 05° 11' 00" East, 26.65 feet to a point;
(2) South 52° 16' 24" East, 46.76 feet to a point;
(3) North 54° 37' 12" East, 12.58 feet to a point;
(4) North 14° 09' 55" East, 33.32 feet to a point;
(5) North 07° 41' 59" East, 23.04 feet to a point;
(6) North 07° 10' 04" West, 18.35 feet to a point;
(7) North 06° 43' 41" East, 26.33 feet to a point along the lands now or formerly Town of Southampton;

Thence along the said mentioned lands the following four courses and distances:

(1) South 02° 11' 10" East, 50.30 feet to a point;

(2) South 77° 56' 30" East, 16.80 feet to a point;
(3) South 26° 19' 40" East, 37.61 feet to a point;
(4) South 34° 50' 40" East, 51.74 feet to the point of beginning, being 15,286± square feet.

S 5. In the event that the parklands to be dedicated by the town of Southampton pursuant to this act are not equal to or greater than the fair market value of the parkland to be discontinued, the town of Southampton shall dedicate the difference of the fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

S 6. In the event that the town of Southampton received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of section three of this act shall not occur until the town of Southampton has complied with any federal requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

S 7. This act shall take effect immediately.